

*SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Transportation Committee

BILL: SB 738

INTRODUCER: Senator Diaz de la Portilla

SUBJECT: Registration Check-Off

DATE: January 13, 2006

REVISED: 1/24/06

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Woods	Meyer	TR	Fav/2 amendments
2.			HE	
3.			TA	
4.				
5.				
6.				

Please see last section for Summary of Amendments

☐

Technical amendments were recommended

☒

Amendments were recommended

☐

Significant amendments were recommended

I. Summary:

Senate Bill 738 requires the Department of Highway Safety and Motor Vehicles (DHSMV), to include language allowing a voluntary \$1.00 contribution to the Florida Heart Research Institute, Inc., (FHRI), on each motor vehicle registration and renewal form. FHRI is a non-profit organization established for the purpose of funding heart disease research, education, and prevention programs.

This bill substantially amends section 320.02 of the Florida Statutes.

II. Present Situation:

Section 320.02, F.S., currently authorizes check-offs for voluntary contributions appearing on the motor vehicle registration and renewal application forms for the following organizations in the following amounts:

- \$2 for the highway Safety Operating Trust Fund for the purpose of child safety seats;
- \$1 for the Nongame Wildlife Trust Fund;
- \$5 for the Election Campaign Financing Trust Fund;
- \$1 for the Transportation Disadvantaged Trust Fund;
- \$1 for Prevent Blindness Florida;

- \$1 for Southeastern Guide Dogs, Inc.; and
- An unspecified amount for Florida Mothers Against Drunk Driving, Inc,

Voluntary contributions may not be used for commercial or for-profit activities, or for general or administrative expenses, except as authorized by law or to pay the cost of an audit or report required by law. See s. 320.023 (5), F.S. Any voluntary contributions authorized by law shall only be distributed under an appropriation by the Legislature. See s. 320.023 (5)(c), F.S.

The Florida Heart Research Institute functions as both a self-contained cardiovascular research center and as a collaborator and facilitator of research. This research includes:

- Ongoing clinical trials;
- The Congestive Heart Failure Study (in collaboration with Mayo Clinic);
- The Defibrillation Study of treatment by police and first responders (in collaboration with the University of Miami, Miami-Dade Fire Rescue, the Miami-Dade Police Department, and Jackson Memorial Hospital);
- Cardiovascular Risk Factors in Post-Menopausal Women;
- A 20-year Study of Coronary Bypass in Women (in collaboration with Mt. Sinai Medical Center); and
- The Non-invasive Motion Ventilation/CPR Study (in collaboration with the Mt. Sinai Medical Center).

DHSMV's Check-off Requirements

Section 320.023, F.S., provides a procedure an organization must follow prior to seeking legislative authorization to establish a voluntary check-off on a motor vehicle registration application. Before the organization is eligible, the organization must submit to DHSMV for review at least 90 days before the convening of the regular session of the Legislature:

- A request for the particular voluntary contribution being sought, describing it in general terms;
- An application fee of up to \$10,000 to defray DHSMV's costs for reviewing the application and developing the check-off, if authorized; and
- A short and long-term marketing strategy and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the voluntary contributions.

The Florida Heart Research Institute has met the requirements specified in s. 320.023, F.S. for requesting the voluntary contribution language on motor vehicle registration renewal forms. The DHSMV is authorized to discontinue production of a plate if the contributions from that plate have not reached or exceeded \$25,000 within a five year period. The DHSMV may also discontinue production of a plate if contributions do not reach or exceed \$25,000 within any five year period after the first five years.

III. Effect of Proposed Changes:

Section 1 amends s. 320.02, F.S., requiring DHSMV to include language permitting a voluntary contribution of \$1 per applicant to FHRI on each application for motor vehicle registration or renewal; provides for use of the funds; and exempts such funds from the general revenue service charge.

Section 2 provides an effective date of July 1, 2007.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Citizens wishing to contribute \$1.00 to FHRI would be able to select this organization from a voluntary check-off on the motor vehicle registration or renewal form.

C. Government Sector Impact:

FHRI has paid all fees required by DHSMV for reviewing the application and developing the check-off.

VI. Technical Deficiencies:

While the effective date is not deficient, staff believes that the 2007 effective date is a typographical error (2006).

The FHRI is not an incorporated entity; therefore, staff recommends an amendment naming the appropriate legal entity.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

VIII. Summary of Amendments:

Barcode 653056 by Transportation:

Clarifies the voluntary contribution will be distributed to the Miami Heart Research Institute, Inc., which is doing business as the Florida Heart Research Institute (WITH TITLE AMENDMENT).

Barcode 253632 by Transportation:

Changes the effective date to July 1, 2006.

This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
